

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

RYAN, LLC,

Plaintiff

v.

FEDERAL TRAE COMMISSION,

Defendant.

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Civil Action No. 3:24-CV-00986-E

Hon. Ada Brown

**UNOPPOSED MOTION OF THE SOCIETY FOR HUMAN RESOURCE
MANAGEMENT FOR LEAVE TO FILE BRIEF AMICUS CURIAE IN
SUPPORT OF PLAINTIFF’S AND INTERVENORS’ MOTIONS FOR
STAY AND PRELIMINARY INJUNCTION**

Pursuant to Local Rule 7.2(b), proposed *amicus curiae*, the Society For Human Resource Management (“**SHRM**”), moves for leave to file the attached brief *amicus curiae* in support of Plaintiff’s and Intervenors’ motions for a stay and a preliminary injunction (ECF Nos. 23 and 46) (jointly, “**Motions**”). Counsel for SHRM has conferred with counsel for the parties, and certifies that the parties consent to the filing of the proposed *amicus* brief.

Short Statement of the Nature and Stage of the Proceedings

The Motions of Plaintiff and Plaintiff-Intervenor are currently pending before the Court. (ECF Nos. 23 and 46.) SHRM represents nearly 325,000 members worldwide with the purpose of creating better workplaces where employers and

employees thrive together. As the voice of all things work, workers and the workplace, SHRM is the foremost expert, convener and thought leader on issues impacting today's evolving workplaces. As such, SHRM is uniquely situated to present the viewpoint of hundreds of thousands of its members who will be directly affected by the final rule of Federal Trade Commission ("*FTC*") that prohibits all noncompete agreements, across all workers, for all industries (the "*Rule*"). *See Non-Compete Clause Rule*, 89 Fed. Reg. 38,342 (May 7, 2024).

Issue to be Ruled Upon

SHRM seeks leave to file its attached brief *amicus curiae*. L.R. 7.2(b) provides that an amicus brief may only be filed with leave of the presiding judge. SHRM respectfully submits that its proposed brief will be helpful to the Court in resolving the pending Motions because SHRM provides useful context regarding the irreparable harm and complete chaos that will ensue to employers, human resources managers, and employees if the effective date of the Rule is not stayed.

The proposed brief will not cause any delay in the proceedings, nor will it prejudice any party.

CONCLUSION

WHEREFORE, *Amicus curiae*, SHRM, respectfully requests that the Court grant this unopposed Motion and grant leave to file the attached brief in support of Plaintiffs' Motions.

Dated: May 24, 2024

Respectfully submitted,

/s/ Tricia W. Macaluso

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CERTIFICATE OF COMPLIANCE

1. This document complies with the type-volume requirements of Judge Brown's Motion Practice procedures II.A because it contains 323 words; and

2. This document complies with the typeface requirements of Judge Brown's Motion Practice procedures II.A because it has been prepared in a proportionally spaced typeface using Microsoft Office Word in 14-point Times New Roman font.

Dated: May 24, 2024

/s/ Tricia W. Macaluso

Tricia W. Macaluso

CERTIFICATE OF SERVICE

I hereby certify that, on May 24, 2024, I caused the foregoing document to be filed with the Clerk for the U.S. District Court for the Northern District of Texas through the ECF system. Participants in the case who are registered ECF users will be served through the ECF system, as identified by the Notice of Electronic Filing.

Dated: May 24, 2024

Respectfully submitted,

/s/ Tricia W. Macaluso

Tricia W. Macaluso